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SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATED TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

Positive and full inclusion of persons with disabilities in all aspects of society and the leadership role of the United Nations therein

Note by the Secretariat

By its resolution 1993/21 of 27 July 1993, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Positive and full inclusion of persons with disabilities in all aspects of society and the leadership role of the United Nations therein". The text of the draft resolution is reproduced below.

"Positive and full inclusion of persons with disabilities in all aspects of society and the leadership role of the United Nations therein

"The General Assembly,

"Mindful of the pledge made by States, under the Charter of the United Nations, to take action jointly and separately, in cooperation with the United Nations, in order to promote higher standards of living, full employment, and conditions of economic and social progress and development,

"Reaffirming the commitment to human rights and fundamental freedoms, social justice and the dignity and worth of the human person proclaimed in the Charter,

"Recalling in particular the international standards of human rights laid down in the Universal Declaration of Human Rights, 1/

"Noting that the rights proclaimed in those instruments should be ensured equally to all individuals without discrimination,

"Recalling the provisions safeguarding the rights of women with disabilities in the Convention of the Elimination of All forms of Discrimination against Women, 2/

"Having regard to the Declaration on the Rights of Disabled Persons, 3/ the Declaration on the Rights of Mentally Retarded Persons, 4/ the Declaration on Social Progress and Development, 5/ the Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care 6/ and other relevant instruments adopted by the General Assembly,

"Also having regard to the relevant conventions and recommendations adopted by the International Labour Organisation, with particular reference to participation in employment without discrimination for persons with disabilities,

"Mindful of the relevant recommendations and work of the United Nations Educational, Scientific and Cultural Organization in particular the World Declaration on Education for All, 7/ and of the work of the World Health Organization, the United Nations Children's Fund and other concerned organizations,

"Recognizing that the World Programme of Action concerning Disabled Persons adopted by the General Assembly in its resolution 37/52 of 3 December 1982, and the definition therein of equalization of opportunities reflect the determination of the international community to ensure that the various international instruments and recommendations will be put to practical, concrete and effective use in improving the quality of life of persons with disabilities and their families and communities,

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1/ Resolution 217 A (III), annex.

2/ Resolution 34/180, annex.

3/ Resolution 3447 (XXX).

4/ Resolution 2856 (XXVI).

5/ Resolution 2542 (XXIV).

6/ Resolution 46/119, annex.

7/ Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jantier, Thailand, 5-9 March 1990, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix 1.

"Acknowledging that the objective of the United Nations Decade of Disabled Persons 1983-1992 as a means to implement the World Programme of Action is still valid and requires urgent and continued action,

"Recalling that the World Programme of Action is based on concepts which are equally valid in developed and developing countries,

"Convinced that intensified efforts are needed to achieve the full and equal enjoyment of human rights and full participation and inclusion in society of persons with disabilities,

"Recognizing that persons with disabilities, their families and representatives and organizations concerned with the needs of persons with disabilities must be active partners with States in the planning and implementation of all measures affecting their civil, political, economic, social and cultural rights,

"Recalling Economic and Social Council resolution 1990/26 of 24 May 1990 and reaffirming the detailed enumeration in the World Programme of Action of specific measures required for the attainment of full equality by persons with disabilities,

"Reaffirming the commitment of the Commission for Social Development to the provisions and rules set out in the ongoing process of elaborating standard rules on the equalization of opportunities for persons with disabilities,

"Recognizing the essential role of the United Nations and the Commission for Social Development in providing leadership and positive guidance to encourage world wide change by equalizing opportunities, promoting independence and ensuring the full inclusion and participation in society of all persons with disabilities,

"Seeking to ensure effective implementation of action to promote the full inclusion of persons with disabilities in all aspects of society and to affirm the leadership role of the United Nations in that process,

"1. Calls upon the Secretary-General to maintain the integrity and the identity of programmes relating to disabled persons, including the United Nations Voluntary Fund on Disability, in order to promote the equalization of opportunities and full societal inclusion of persons with disabilities;

"2. Urges the Secretary-General to strengthen, through redeployment of resources, the programme on disabled persons in order to enable it:

"(a) To represent the needs of persons with disabilities and their families and communities throughout the United Nations system;

"(b) To ensure effective coordination and streamlining of efforts to respond to the needs of persons with disabilities (through policy formulation, advocacy and liaison) among all bodies within the United Nations system, particularly the International Labour Organisation, the

World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Development Programme and the United Nations Children's Fund;

"(c) To promote equal opportunities and full participation of people with disabilities and their families and representatives within the United Nations system itself;

"(d) In cooperation with Member States, bodies within the United Nations system, non-governmental organizations and other appropriate agencies, to extend technical assistance and disseminate information in order to enhance the capacity of Member States to develop, implement and evaluate their efforts to equalize opportunities and provide for the full societal inclusion of persons with disabilities;

"3. Requests the Secretary-General to report biennially to the General Assembly on the progress of efforts to ensure the equalization of opportunities and full inclusion of people with disabilities within the various bodies of the United Nations system;

"4. Requests the Secretary-General to consider, in view of the importance of ensuring that the needs of people with disabilities and their families and communities are represented in an equitable manner, strengthening and upgrading the status of the Disabled Persons Unit of the Secretariat through redeployment of resources;

"5. Reaffirms that the issues of equalization of opportunities and full societal inclusion for persons with disabilities will be an important part of the preparatory process and final agenda of the World Summit for Social Development to be held in Denmark in 1995;

"6. Reaffirms the commitment of the Commission for Social Development to ensuring that the needs of persons with disabilities and their families and communities continue to be addressed in all of its work."

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SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

Standard Rules on the Equalization of Opportunities for Persons with Disabilities

Note by the Secretariat

By its resolution 1993/19 of 27 July 1993, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Standard Rules on the Equalization of Opportunities for Persons with Disabilities". The text of the draft resolution is reproduced below.

"Standard Rules on the Equalization of Opportunities for Persons with Disabilities"

"The General Assembly,

"Recalling Economic and Social Council resolution 1990/26 of 24 May 1990, in which the Council authorized the Commission for Social Development to consider, at its thirty-second session, the establishment of an ad hoc open-ended working group of government experts, funded by voluntary contributions, to elaborate standard rules on the equalization of opportunities for disabled children, youth and adults, in close collaboration with the specialized agencies, other intergovernmental bodies and non-governmental organizations, especially organizations of disabled persons, and in which it requested the Commission, should it establish such a working group, to finalize the text of those rules for consideration by the Council at its first regular session of 1993 and for submission to the General Assembly at its forty-eighth session,

"Also recalling that in its resolution 32/2 of 20 February 1991 the Commission for Social Development decided to establish an ad hoc open-ended working group of government experts in accordance with Economic and Social Council resolution 1990/26, 1/

"Taking note with appreciation of the participation of many States, specialized agencies, intergovernmental bodies and non-governmental organizations, especially organizations of disabled persons, in the deliberations of the working group,

"Noting with appreciation the generous financial contributions of Member States to the working group,

"Welcoming the fact that the working group was able to fulfil its mandate within three sessions of five working days each,

"Acknowledging with appreciation the report of the ad hoc open-ended working group to elaborate standard rules on the equalization of opportunities for disabled persons, 2/

"Taking note of the discussion in the Commission for Social Development at its thirty-third session on the draft standard rules, 3/

"1. Adopts the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, set forth in the annex to the present resolution;

"2. Requests Member States to apply the Standard Rules in developing national disability programmes;

"3. Urges Member States to meet the requests of the Special Rapporteur for information on the implementation of the Standard Rules;

"4. Requests the Secretary-General to promote the implementation of the Standard Rules and to report thereon to the General Assembly at its fiftieth session;

"5. Urges Member States to support, financially and otherwise, the implementation of the Standard Rules.

"1/ See Official Records of the Economic and Social Council, 1991, Supplement No. 6 (E/1991/26), chap. I, sect. D.

"2/ E/CN.5/1993/5.

"3/ See Official Records of the Economic and Social Council, 1993, Supplement No. 4 (E/1993/24), chap. III, sect. E.

"ANNEX

"Standard Rules on the Equalization of Opportunities for Persons with Disabilities

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"INTRODUCTION

"Background and current needs

"1. There are persons with disabilities in all parts of the world and at all levels in every society. The number of persons with disabilities in the world is large and is growing.

"2. Both the causes and the consequences of disability vary throughout the world. These variations are the result of different socio-economic circumstances and of the different provisions that States make for the well-being of their citizens.

"3. Present disability policy is the result of developments over the past 200 years. In many ways it reflects the general living conditions and social and economic policies of different times. In the disability field, however, there are also many specific circumstances which have influenced the living conditions of persons with disabilities. Ignorance, neglect, superstition and fear are social factors which throughout the history of disability have delayed the development of and isolated persons with disabilities.

"4. Over the years disability policy developed from elementary care at institutions to education for children with disabilities and rehabilitation for persons who became disabled during adult life. Through education and rehabilitation, persons with disabilities became more active and a driving force in the further development of disability policy. Organizations of persons with disabilities, their families and advocates were formed, which advocated better conditions for persons with disabilities. After the Second World War the concepts of integration and normalization were introduced, which reflected a growing awareness of the capabilities of persons with disabilities.

"5. Towards the end of the 1960s organizations of persons with disabilities in some countries started to formulate a new concept of disability. This new concept indicated the close connection between the limitation experienced by individuals with disabilities, the design and structure of their environments and the attitude of the general population. At the same time the problems of disability in developing countries were more and more highlighted. In some of those countries the percentage of the population with disabilities was estimated to be very high and, for the most part, persons with disabilities were extremely poor.

"Previous international action

"6. The rights of persons with disabilities have been the subject of much attention in the United Nations and other international organizations over a long period of time. The most important outcome of the International Year of Disabled Persons, 1981, was the World Programme of Action

concerning Disabled Persons, 4/ adopted by the General Assembly in its resolution 37/52. The International Year of Disabled Persons and the World Programme of Action provided a strong impetus for progress in the field. They both emphasized the right of persons with disabilities to the same opportunities as other citizens and to an equal share in the improvements in living conditions resulting from economic and social development. Here, also, for the first time, handicap was defined as a function of the relationship between persons with disabilities and their environment.

"7. The Global Meeting of Experts to Review the Implementation of the World Programme of Action concerning Disabled Persons at the Mid-Point of the United Nations Decade of Disabled Persons was held at Stockholm in 1987. It was suggested at that Meeting that a guiding philosophy should be developed to indicate the priorities for action in the years ahead. The basis of this philosophy should be the recognition of the rights of persons with disabilities.

"8. Consequently, the Meeting recommended that the General Assembly convene a special conference in order to draft an international convention on the elimination of all forms of discrimination against persons with disabilities, to be ratified by States by the end of the Decade.

"9. A draft outline of the convention was prepared by Italy and presented to the General Assembly at its forty-second session. Further presentations concerning a draft convention were made by Sweden at the forty-fourth session of the Assembly. However, on both occasions, no consensus could be reached on the suitability of such a convention. In the opinion of many representatives, existing human rights documents seemed to guarantee persons with disabilities the same rights as other persons.

"Towards standard rules

"10. Guided by the deliberations in the General Assembly, the Economic and Social Council, at its first regular session of 1990, finally agreed to concentrate on the elaboration of an international instrument of a different kind. In its resolution 1990/26, the Council authorized the Commission for Social Development to consider, at its thirty-second session, the establishment of an ad hoc open-ended working group of government experts, funded by voluntary contributions, to elaborate standard rules on the equalization of opportunities for disabled children, youth and adults, in close collaboration with the specialized agencies, other intergovernmental organizations and non-governmental organizations, especially organizations of persons with disabilities themselves. The Council also requested the Commission to finalize the text of those rules for consideration in 1993 and for submission to the General Assembly at its forty-eighth session.

"4/ A/47/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 (iv).

"11. The subsequent discussions in the Third Committee of the General Assembly at the forty-fifth session showed that there was wide support for the new initiative to elaborate standard rules on the equalization of opportunities for persons with disabilities.

"12. At the thirty-second session of the Commission for Social Development, the initiative for standard rules received the support of a large number of representatives and discussions led to the adoption of resolution 32/2, in which it was decided to establish an ad hoc open-ended working group in accordance with Economic and Social Council resolution 1990/26.

"Purpose and content of the Standard Rules for the Equalization of Opportunities for Persons with Disabilities

"13. The Standard Rules for the Equalization of Opportunities for Persons with Disabilities have been developed on the basis of the experience gained during the United Nations Decade of Disabled Persons (1983-1992). 5/ The International Bill of Human Rights, comprising the Universal Declaration of Human Rights, 6/ the International Covenant on Economic, Social and Cultural Rights 7/ and the International Covenant on Civil and Political Rights, 7/ the Convention on the Rights of the Child 8/ and the Convention on the Elimination of All Forms of Discrimination against Women, 9/ as well as the World Programme of Action concerning Disabled Persons, constitute the political and moral foundation for these Rules.

"14. Although these Rules are not compulsory, they can become international customary rules when they are applied by a great number of States with the intention of respecting a rule in international law. They imply a strong moral and political commitment on behalf of States to take action for the equalization of opportunities. Important principles for responsibility, action and cooperation are indicated. Areas of decisive importance for the quality of life and for the achievement of full participation and equality are pointed out. These Rules offer an instrument for policy-making and action to persons with disabilities and their organizations. They provide a basis for technical and economic cooperation among States, the United Nations and other international organizations.

"5/ Proclaimed by the General Assembly in its resolution 37/53.

"6/ Resolution 217 A (III), annex.

"7/ Resolution 2200 A (XXI), annex.

"8/ Resolution 44/25, annex.

"9/ Resolution 34/180, annex.

"15. The purpose of these Rules is to ensure that girls, boys, women and men with disabilities, as citizens of their societies, may exercise the same rights and obligations as others. In all societies of the world there are still obstacles preventing persons with disabilities from exercising their rights and freedoms and making it difficult for them to participate fully in the activities of their societies. It is the responsibility of States to take appropriate action to remove such obstacles. Persons with disabilities and their organizations should play an active role as partners in this process. The equalization of opportunities for persons with disabilities is an essential contribution in the general and worldwide effort to mobilize human resources. Special attention may need to be directed towards groups such as women, children, the elderly, the poor, migrant workers, persons with dual or multiple disabilities, indigenous persons and ethnic minorities. In addition, there are a large number of refugees with disabilities with special needs which require attention.

"Fundamental concepts in disability policy

"16. The following concepts appear throughout. They are basically built on the concepts in the World Programme of Action concerning Disabled Persons. In some cases they reflect the development which has taken place during the United Nations Decade of Disabled Persons.

"Disability and handicap

"17. The term 'disability' summarizes a great number of different functional limitations occurring in any population in all countries of the world. People may be disabled by physical, intellectual or sensory impairment, medical conditions or mental illness. Such impairments, conditions or illnesses may be permanent or transitory in nature.

"18. Handicap is the loss or limitation of opportunities to take part in the life of the community on an equal level with others. The term 'handicap' describes the encounter between the person with a disability and the environment. The purpose of this term is to emphasize the focus on the shortcomings in the environment and in many organized activities in society, for example, information, communication and education, which prevent persons with disabilities from participating on equal terms.

"19. This use of the two terms disability and handicap should be seen in the light of modern disability history. During the 1970s there was a strong reaction among representatives of organizations of persons with disabilities and professionals in the field of disability against the terminology of the time. The terms disability and handicap were often used in an unclear and confusing way, which gave poor guidance for policy-making and for political action. The terminology reflected a medical and diagnostic approach, which ignored the imperfections and deficiencies of the surrounding society.

"20. In 1980, the World Health Organization adopted an international classification of impairment, disability and handicap (ICIDH), which suggested a more precise and at the same time relativistic approach. This

classification makes a clear distinction between impairment, disability and handicap. ICIDH has been extensively used in areas such as rehabilitation, education, statistics, policy, legislation, demography, sociology, economics and anthropology. Some users have expressed concern that ICIDH, in its definition of the term handicap, may still be considered too medical and too centred on the individual, and may not adequately clarify the interaction between societal conditions or expectations and the abilities of the individual. These concerns, and others which have been expressed by users over the past 12 years since the publication of ICIDH, will be addressed in forthcoming revisions of ICIDH.

"21. Based on experiences in connection with the implementation of the World Programme of Action and on the general discussion which occurred during the United Nations Decade of Disabled Persons, there was a deepening of knowledge and extension of understanding concerning disability issues and the terminology used. Current terminology recognizes the necessity of addressing both the individual needs (such as rehabilitation and technical aids) and the shortcomings of the society (various obstacles for participation).

"Prevention

"22. Prevention means action aimed at preventing the occurrence of physical, intellectual, psychiatric or sensory impairments (primary prevention) or at preventing impairments from causing a permanent functional limitation or disability (secondary prevention). Prevention may include many different types of action such as primary health care, prenatal and postnatal child care, education in nutrition, immunization campaigns against communicable diseases, measures to control endemic diseases, safety regulations, programmes for the prevention of accidents in different environments, including adaptation of workplaces to prevent occupational disabilities and diseases, and prevention of disability which results from pollution of the environment or armed conflict.

"Rehabilitation

"23. Rehabilitation is a process aimed at enabling persons with disabilities to reach and maintain their optimal physical, sensory, intellectual, psychiatric and/or social functional levels, thus providing them with the tools to change their lives towards a higher level of independence. Rehabilitation may include measures to provide and/or restore functions, or compensate for the loss or absence of a function or for a functional limitation. The rehabilitation process does not involve initial medical care. It includes a wide range of measures and activities from more basic and general rehabilitation to goal-oriented activities, for instance vocational rehabilitation.

"Equalization of opportunities

"24. Equalization of opportunities means the process through which the various systems of society and the environment, such as services, activities, information and documentation, are made available to all, particularly to persons with disabilities.

"25. The principle of equal rights implies that the needs of each and every individual are of equal importance, that these needs must be made the basis for the planning of societies and that all resources must be employed in such a way as to ensure that every individual has equal opportunity for participation.

"26. Persons with disabilities are members of society and have the right to remain within their local communities. They should receive the support they need within the ordinary structures of education, health, employment and social services.

"27. As persons with disabilities achieve equal rights, they should also have equal obligations. As these rights are being achieved, societies should raise their expectations of persons with disabilities. As part of the process of equal opportunities, provision should be made to assist persons with disabilities to assume their full responsibility as members of society.

"PREAMBLE

"Mindful of the pledge made by States, under the Charter of the United Nations, to take joint and separate action in cooperation with the Organization to promote higher standards of living, full employment and conditions of economic and social progress and development,

"Reaffirming the commitment to human rights and fundamental freedoms, social justice and the dignity and worth of the human person proclaimed in the Charter,

"Recalling in particular the international standards on human rights which have been laid down in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

"Noting that these instruments proclaim that the rights recognized therein should be ensured equally to all individuals without discrimination,

"Recalling the provisions of the Convention on the Rights of the Child, 10/ which prohibit discrimination on the basis of disability and require special measures to ensure the rights of children with disabilities, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 11/ which provides for some protective measures against disability,

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"10/ Resolution 44/25, annex.

"11/ Resolution 45/158, annex.

"Recalling also the provisions in the Convention on the Elimination of All Forms of Discrimination against Women to ensure the rights of girls and women with disabilities,

"Having regard to the Declaration on the Rights of Disabled Persons, 12/ the Declaration on the Rights of Mentally Retarded Persons, 13/ the Declaration on Social Progress and Development, 14/ the Principles for the Protection of Persons with Mental Illness and for the Improvement of Mental Health Care, 15/ and other relevant instruments adopted by the General Assembly,

"Also having regard to the relevant conventions and recommendations adopted by the International Labour Organisation, with particular reference to participation in employment without discrimination for persons with disabilities,

"Mindful of the relevant recommendations and work of the United Nations Educational, Scientific and Cultural Organization, in particular the World Declaration on Education for All, 16/ the World Health Organization, the United Nations Children's Fund and other concerned organizations,

"Having regard to the commitment made by States concerning the protection of the environment,

"Mindful of the devastation caused by armed conflict and deploring the use of scarce resources in the production of weapons,

"Recognizing that the World Programme of Action concerning Disabled Persons and the definition therein of 'equalization of opportunities' represent earnest ambitions by the international community to render these various international instruments and recommendations of practical and concrete significance,

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"12/ Resolution 3447 (XXX), annex.

"13/ Resolution 2856 (XXVI).

"14/ Resolution 2542 (XXIV).

"15/ Resolution 46/119, annex.

"16/ Final Report of the World Conference on Education for All: Meeting Basic Learning Needs, Jomtien, Thailand, 5-9 March 1990, Inter-Agency Commission (UNDP, UNESCO, UNICEF, World Bank) for the World Conference on Education for All, New York, 1990, appendix 1.

"Acknowledging that the objective of the United Nations Decade of Disabled Persons (1983-1992) to implement the World Programme of Action is still valid, and requires urgent and continued action,

"Recalling that the World Programme of Action is based on concepts which are equally valid in developing as well as industrialized countries,

"Convinced that intensified efforts are needed to achieve the full and equal enjoyment of human rights and participation in society by persons with disabilities,

"Re-emphasizing that persons with disabilities, their parents, guardians, advocates and organizations, must be active partners with States in the planning and implementation of all measures affecting their civil, political, economic, social and cultural rights,

"Complying with Economic and Social Council resolution 1990/26, and basing themselves on the detailed enumeration in the World Programme of Action of specific measures required for the attainment by persons with disabilities of equality with others, States have adopted the Standard Rules on the Equalization of Opportunities for Disabled Persons outlined below in order:

"(a) To stress that all action in the field of disability presupposes adequate knowledge and experience of the conditions and special needs of persons with disabilities;

"(b) To emphasize that the process through which every aspect of societal organization is made accessible to all is a basic objective of socio-economic development;

"(c) To outline crucial aspects of social policies in the field of disability, including, as appropriate, the active encouragement of technical and economic cooperation;

"(d) To provide models for the political decision-making process required for the attainment of equal opportunities, bearing in mind the widely differing technical and economic levels, the fact that the process must reflect keen understanding of the cultural context within which it takes place and the crucial role of persons with disabilities in it;

"(e) To propose national mechanisms for close collaboration among States, the organs of the United Nations system, other intergovernmental bodies and organizations of persons with disabilities;

"(f) To propose an effective machinery for monitoring the process by which States seek to attain the equalization of opportunities for persons with disabilities.

"I. PRECONDITIONS FOR EQUAL PARTICIPATION

"Rule 1. Awareness-raising

"States should take action to raise awareness in society about persons with disabilities, their rights, their needs, their potential and their contribution.

"1. States should ensure that responsible authorities distribute up-to-date information on available programmes and services to persons with disabilities, their families, professionals in this field and the general public. Information to persons with disabilities should be presented in accessible form.

"2. States should initiate and support information campaigns concerning persons with disabilities and disability policies, conveying the message that persons with disabilities are citizens with the same rights and obligations as others, thus justifying measures to remove all obstacles to full participation.

"3. States should encourage the portrayal of persons with disabilities by the mass media in a positive way; organizations of persons with disabilities should be consulted on this matter.

"4. States should ensure that public education programmes reflect in all their aspects the principle of full participation and equality.

"5. States should invite persons with disabilities and their families and organizations to participate in public education programmes concerning disability matters.

"6. States should encourage enterprises in the private sector to include disability issues in all aspects of their activity.

"7. States should initiate and promote programmes aimed at raising the level of awareness of persons with disabilities concerning their rights and potential. Increased self-reliance and empowerment will assist persons with disabilities to take advantage of the opportunities available to them.

"8. Awareness-raising should be an important part of the education of children with disabilities and in rehabilitation programmes. Persons with disabilities could also assist one another in awareness-raising through the activities of their own organizations.

"9. Awareness-raising should be part of the education of all children and should be a component of teacher-training courses and training of all professionals.

"Rule 2. Medical care

"States should ensure the provision of effective medical care to persons with disabilities.

"1. States should work towards the provision of programmes run by multidisciplinary teams of professionals for early detection, assessment and treatment of impairment. This could prevent, reduce or eliminate disabling effects. Such programmes should ensure the full participation of persons with disabilities and their families at the individual level, and of organizations of persons with disabilities at the planning and evaluation level.

"2. Local community workers should be trained to participate in areas such as early detection of impairments, the provision of primary assistance and referral to appropriate services.

"3. States should ensure that persons with disabilities, particularly infants and children, are provided with the same level of medical care within the same system as other members of society.

"4. States should ensure that all medical and paramedical personnel are adequately trained and equipped to give medical care to persons with disabilities and that they have access to relevant treatment methods and technology.

"5. States should ensure that medical, paramedical and related personnel are adequately trained so that they do not give inappropriate advice to parents, thus restricting options for their children. This training should be an ongoing process and should be based on the latest information available.

"6. States should ensure that persons with disabilities are provided with any regular treatment and medicines they may need to preserve or improve their level of functioning.

"Rule 3. Rehabilitation*

"States should ensure the provision of rehabilitation services to persons with disabilities in order for them to reach and sustain their optimum level of independence and functioning.

"1. States should develop national rehabilitation programmes for all groups of persons with disabilities. Such programmes should be based on the actual individual needs of persons with disabilities and on the principles of full participation and equality.

"* Rehabilitation is a fundamental concept in disability policy and is defined above in paragraph 23 of the introduction.

"2. Such programmes should include a wide range of activities, such as basic skills training to improve or compensate for an affected function, counselling of persons with disabilities and their families, developing self-reliance, and occasional services such as assessment and guidance.

"3. All persons with disabilities, including persons with severe and/or multiple disabilities, who require rehabilitation should have access to it.

"4. Persons with disabilities and their families should be able to participate in the design and organization of rehabilitation services concerning themselves.

"5. All rehabilitation services should be available in the local community where the person with disabilities lives. However, in some instances, in order to attain a certain training objective, special time-limited rehabilitation courses may be organized, where appropriate, in residential form.

"6. Persons with disabilities and their families should be encouraged to involve themselves in rehabilitation, for instance as trained teachers, instructors or counsellors.

"7. States should draw upon the expertise of organizations of persons with disabilities when formulating or evaluating rehabilitation programmes.

"Rule 4. Support services

"States should ensure the development and supply of support services, including assistive devices for persons with disabilities, to assist them to increase their level of independence in their daily living and to exercise their rights.

"1. States should ensure the provision of assistive devices and equipment, personal assistance and interpreter services, according to the needs of persons with disabilities, as important measures to achieve the equalization of opportunities.

"2. States should support the development, production, distribution and servicing of assistive devices and equipment and the dissemination of knowledge about them.

"3. To achieve this, generally available technical know-how should be utilized. In States where high-technology industry is available, it should be fully utilized to improve the standard and effectiveness of assistive devices and equipment. It is important to stimulate the development and production of simple and inexpensive devices, when possible using local material and local production facilities. Persons with disabilities themselves could be involved in the production of these devices.

"4. States should recognize that all persons with disabilities who need assistive devices should have access to them as appropriate, including financial accessibility. This may mean that assistive devices and

equipment should be provided free of charge or at such a low price that persons with disabilities or their families can afford to buy them.

"5. In rehabilitation programmes for the provision of assistive devices and equipment, States should consider the special requirements of girls and boys with disabilities concerning the design, durability and age-appropriateness of assistive devices and equipment.

"6. States should support the development and provision of personal assistance programmes and interpretation services, especially for persons with severe and/or multiple disabilities. Such programmes would increase the level of participation of persons with disabilities in everyday life, at home, at work, in school and during leisure-time activities.

"7. Personal assistance programmes should be designed in such a way that the persons with disabilities using the programmes have a decisive influence on the way in which the programmes are delivered.

"II. TARGET AREAS FOR EQUAL PARTICIPATION

"Rule 5. Accessibility

"States should recognize the overall importance of accessibility in the process of the equalization of opportunities in all spheres of society. For persons with disabilities of any kind, States should (a) introduce programmes of action to make the physical environment accessible; and (b) undertake measures to provide access to information and communication.

"(a) Access to the physical environment

"1. States should initiate measures to remove the obstacles to participation in the physical environment. Such measures should be to develop standards and guidelines and to consider enacting legislation to ensure accessibility to various areas in society, for instance concerning housing, buildings, public transport services and other means of transportation, streets and other outdoor environments.

"2. States should ensure that architects, construction engineers and others who are professionally involved in the design and construction of the physical environment have access to adequate information on disability policy and measures to achieve accessibility.

"3. Accessibility requirements should be included in the design and construction of the physical environment from the beginning of the designing process.

"4. Organizations of persons with disabilities should be consulted when developing standards and norms for accessibility. They should also be involved locally from the initial planning stage when public construction projects are being designed, thus ensuring maximum accessibility.

"(b) Access to information and communication

"5. Persons with disabilities and, where appropriate, their families and advocates should have access to full information on diagnosis, rights and available services and programmes, at all stages. Such information should be presented in forms accessible to people with disabilities.

"6. States should develop strategies to make information services and documentation accessible for different groups of people with disabilities. Braille, tape services, large print and other appropriate technologies should be used to provide access to written information and documentation for persons with visual impairments. Similarly, appropriate technologies should be used to provide access to spoken information for persons with auditory impairments or comprehension difficulties.

"7. Consideration should be given to the use of sign language in the education of deaf children, in their families and communities. Sign language interpretation services should also be provided to facilitate the communication between deaf persons and others.

"8. Consideration should also be given to the needs of people with other communication disabilities.

"9. States should encourage the media, especially television, radio and newspapers, to make their services accessible.

"10. States should ensure that new computerized information and service systems offered to the general public are either made initially accessible or are adapted to be made accessible to persons with disabilities.

"11. Organizations of persons with disabilities should be consulted when developing measures to make information services accessible.

"Rule 6. Education

"States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings. They should ensure that the education of persons with disabilities is an integral part of the educational system.

"1. General educational authorities are responsible for the education of persons with disabilities in integrated settings. Education for persons with disabilities should form an integral part of national educational planning, curriculum development and school organization.

"2. Education in mainstream schools presupposes the provision of interpreter and other appropriate support services. Adequate accessibility and support services, designed to meet the needs of persons with different disabilities, should be provided.

"3. Parent groups and organizations of persons with disabilities should be involved in the education process at all levels.

"4. In States where education is compulsory it should be provided to girls and boys with all kinds and all levels of disabilities, including the most severe.

"5. Special attention should be given in the following areas:

"(a) Very young children with disabilities;

"(b) Pre-school children with disabilities;

"(c) Adults with disabilities, particularly women.

"6. To accommodate educational provisions for persons with disabilities in the mainstream, States should:

"(a) Have a clearly stated policy, understood and accepted at the school level and by the wider community;

"(b) Allow for curriculum flexibility, addition and adaptation;

"(c) Provide for quality materials, ongoing teacher training and support teachers.

"7. Integrated education and community-based programmes should be seen as complementary approaches in providing cost-effective education and training for persons with disabilities. National community-based programmes should encourage communities to use and develop their resources to provide local education to persons with disabilities.

"8. In situations where the general school system does not yet adequately meet the needs of all persons with disabilities, special education may be considered. It should be aimed at preparing students for education in the general school system. The quality of such education should reflect the same standards and ambitions as general education and should be closely linked to it. At a minimum, students with disabilities should be afforded the same portion of educational resources as students without disabilities. States should aim for the gradual integration of special education services with mainstream education. It is acknowledged that in some instances special education may currently be considered to be the most appropriate form of education for some students with disabilities.

"9. Owing to the particular communication needs of deaf and deaf/blind persons, their education may be more suitably provided in schools for such persons or special classes and units in mainstream schools. At the initial stage, in particular, special attention needs to be focused on culturally sensitive instruction that will result in effective communication skills and maximum independence for people who are deaf or deaf/blind.

"Rule 7: Employment

"States should recognize the principle that persons with disabilities must be empowered to exercise their human rights, particularly in the field of employment. In both rural and urban areas they must have equal opportunities for productive and gainful employment in the labour market.

"1. Laws and regulations in the employment field must not discriminate against persons with disabilities and must not raise obstacles to their employment.

"2. States should actively support the integration of persons with disabilities into open employment. This active support could occur through a variety of measures, such as vocational training, incentive-oriented quota schemes, reserved or designated employment, loans or grants for small business, exclusive contracts or priority production rights, tax concessions, contract compliance or other technical or financial assistance to enterprises employing workers with disabilities. States should also encourage employers to make reasonable adjustments to accommodate persons with disabilities.

"3. States' action programmes should include:

"(a) Measures to design and adapt workplaces and work premises in such a way that they become accessible for persons with different disabilities;

"(b) Support for the use of new technologies and the development and production of assistive devices, tools and equipment and measures to facilitate access to such devices and equipment for persons with disabilities, to enable them to gain and maintain employment;

"(c) Provision of appropriate training and placement and ongoing support such as personal assistance and interpreter services.

"4. States should initiate and support public awareness-raising campaigns designed to overcome negative attitudes and prejudices concerning workers with disabilities.

"5. In their capacity as employers, States should create favourable conditions for the employment of persons with disabilities in the public sector.

"6. States, workers' organizations and employers should cooperate to ensure equitable recruitment and promotion policies, employment conditions, rates of pay, measures to improve the work environment in order to prevent injuries and impairments and measures for the rehabilitation of employees who have sustained employment-related injuries.

"7. The aim should always be for persons with disabilities to obtain employment in the open labour market. For persons with disabilities whose needs cannot be met in open employment, small units of sheltered or supported employment may be an alternative. It is important that the quality of such programmes be assessed in terms of their relevance and

sufficiency in providing opportunities for persons with disabilities to gain employment in the labour market.

"8. Measures should be taken to include persons with disabilities in training and employment programmes in the private and informal sectors.

"9. States, workers' organizations and employers should cooperate with organizations of persons with disabilities concerning all measures to create training and employment opportunities, including flexible hours, part-time work, job-sharing, self-employment and attendant care for persons with disabilities.

"Rule 8. Income maintenance and social security

"States are responsible for the provision of social security and income maintenance for persons with disabilities.

"1. States should ensure the provision of adequate income support to persons with disabilities who, owing to disability or disability-related factors, have temporarily lost or received a reduction in their income or have been denied employment opportunities. States should ensure that the provision of support takes into account the costs frequently incurred by persons with disabilities and their families as a result of the disability.

"2. In countries where social security, social insurance or other social welfare schemes exist or are being developed for the general population, States should ensure that such systems do not exclude or discriminate against persons with disabilities.

"3. States should also ensure the provision of income support and social security protection to individuals who undertake the care of a person with a disability.

"4. Social security systems should include incentives to restore the income-earning capacity of persons with disabilities. Such systems should provide or contribute to the organization, development and financing of vocational training. They should also assist with placement services.

"5. Social security programmes should also provide incentives for persons with disabilities to seek employment in order to establish or re-establish their income-earning capacity.

"6. Income support should be maintained as long as the disabling conditions remain in a manner that does not discourage persons with disabilities from seeking employment. It should only be reduced or terminated when persons with disabilities achieve adequate and secure income.

"7. States, in countries where social security is to a large extent provided by the private sector, should encourage local communities, welfare organizations and families to develop self-help measures and incentives for employment or employment-related activities for persons with disabilities.

"Rule 9. Family life and personal integrity

"States should promote the full participation of persons with disabilities in family life. They should promote their right to personal integrity, and ensure that laws do not discriminate against persons with disabilities with respect to sexual relationships, marriage and parenthood.

"1. Persons with disabilities should be enabled to live with their families. States should encourage the inclusion in family counselling of appropriate modules regarding disability and its effects on family life. Respite-care and attendant-care services should be made available to families which include a person with disabilities. States should remove all unnecessary obstacles to persons who want to foster or adopt a child or adult with disabilities.

"2. Persons with disabilities must not be denied the opportunity to experience their sexuality, have sexual relationships and experience parenthood. Taking into account that persons with disabilities may experience difficulties in getting married and setting up a family, States should encourage the availability of appropriate counselling. Persons with disabilities must have the same access as others to family-planning methods, as well as to information in accessible form on the sexual functioning of their bodies.

"3. States should promote measures to change negative attitudes towards marriage, sexuality and parenthood of people with disabilities, especially of girls and women with disabilities, which still prevail in society. The media should be encouraged to play an important role in removing such negative attitudes.

"4. Persons with disabilities and their families need to be fully informed about taking precautions against sexual and other forms of abuse. Persons with disabilities are particularly vulnerable to abuse in the family, community or institutions and need to be educated on how to avoid the occurrence of abuse, recognize when abuse has occurred and report on such acts.

"Rule 10. Culture

"States will ensure that persons with disabilities are integrated into and can participate in cultural activities on an equal basis.

"1. States should ensure that persons with disabilities have the opportunity to utilize their creative, artistic and intellectual potential, not only for their own benefit, but also for the enrichment of their community, be they in urban or rural areas. Examples of such activities are dance, music, literature, theatre, plastic arts, painting and sculpture. Particularly in developing countries, emphasis should be placed on traditional and contemporary art forms, such as puppetry, recitation and story-telling.

"2. States should promote the accessibility to and availability of places for cultural performances and services, such as theatres, museums, cinemas and libraries, to persons with disabilities.

"3. States should initiate the development and use of special technical arrangements to make literature, films and theatre accessible to persons with disabilities.

"Rule 11. Recreation and sports

"States will take measures to ensure that persons with disabilities have equal opportunities for recreation and sports.

"1. States should initiate measures to make places for recreation and sports, hotels, beaches, sports arenas, gym halls etc. accessible to persons with disabilities. These measures should encompass support for staff in recreation and sports programmes, including projects to develop methods of accessibility, and participation, information and training programmes.

"2. Tourist authorities, travel agencies, hotels, voluntary organizations and others involved in organizing recreational activities or travel opportunities should offer their services to all, taking into account the special needs of persons with disabilities. Suitable training should occur to assist this process.

"3. Sports organizations should be encouraged to develop opportunities for participation by persons with disabilities in sports activities. In some cases, accessibility measures could be enough to open up opportunities for participation. In other cases, special arrangements or special games would be needed. States should support the participation of persons with disabilities in national and international events.

"4. Persons with disabilities participating in sports activities should have access to instruction and training of the same quality as other participants.

"5. Organizers of sports and recreation should consult with organizations of persons with disabilities when developing their services for persons with disabilities.

"Rule 12. Religion

"States will encourage measures for equal participation by persons with disabilities in the religious life of their communities.

"1. States should encourage, in consultation with religious authorities, measures to eliminate discrimination and make religious activities accessible to persons with disabilities.

"2. States should encourage information on disability matters to be distributed to religious institutions and organizations. States should also encourage religious authorities to include information on disability policies in the training for religious professions, as well as in religious education programmes.

"3. They should also encourage the accessibility of religious literature to persons with sensory impairments.

"4. States and/or religious organizations should consult with organizations of persons with disabilities when developing measures for equal participation in religious activities.

"III. IMPLEMENTATION MEASURES

"Rule 13. Information and research

"States assume the ultimate responsibility for the collection and dissemination of information on the living conditions of persons with disabilities and promote comprehensive research on all aspects, including obstacles which affect the lives of persons with disabilities.

"1. States should, at regular intervals, collect gender-specific statistics and other information concerning the living conditions of persons with disabilities. Such data collection could be conducted in conjunction with national censuses and household surveys and could be undertaken in close collaboration, inter alia, with universities, research institutes and organizations of persons with disabilities. The data collection should include questions on programmes and services and their use.

"2. States should consider establishing a data bank on disability, which would include statistics on available services and programmes as well as on the different groups of persons with disabilities. They should bear in mind the need to protect individual privacy and personal integrity.

"3. States should initiate and support programmes of research on social, economic and participation issues that affect the lives of persons with disabilities and their families. Such research should include studies on the causes, types and frequencies of disabilities, the availability and efficacy of existing programmes and the need for development and evaluation of services and support measures.

"4. States should develop and adopt terminology and criteria for the conduct of national surveys, in cooperation with organizations of persons with disabilities.

"5. States should facilitate the participation of persons with disabilities in data collection and research. To undertake such research States should particularly encourage the recruitment of qualified persons with disabilities.

"6. States should support the exchange of research findings and experiences.

"7. States should take measures to disseminate information and knowledge on disability to all political and administration levels within national, regional and local spheres.

"Rule 14. Policy-making and planning

"States will ensure that disability aspects are included in all relevant policy-making and national planning.

"1. States should initiate and plan adequate policies for persons with disabilities at the national level, and stimulate and support action at regional and local levels.

"2. States should involve organizations of persons with disabilities in all decision-making relating to plans and programmes concerning persons with disabilities or affecting their economic and social status.

"3. The needs and concerns of persons with disabilities should be incorporated into general development plans and not be treated separately.

"4. The ultimate responsibility of States for the situation of persons with disabilities does not relieve others of their responsibility. Anyone in charge of services, activities or the provision of information in society should be encouraged to accept responsibility for making such programmes available to persons with disabilities.

"5. States should facilitate the development by local communities of programmes and measures for persons with disabilities. One way of doing this could be to develop manuals or check-lists and provide training programmes for local staff.

"Rule 15. Legislation

"States have a responsibility to create the legal bases for measures to achieve the objectives of full participation and equality for persons with disabilities.

"1. National legislation, embodying the rights and obligations of citizens, should include the rights and obligations of persons with disabilities. States are under an obligation to enable persons with disabilities to exercise their rights, including their human, civil and political rights, on an equal basis with other citizens. States must ensure that organizations of persons with disabilities are involved in the development of national legislation concerning the rights of persons with disabilities, as well as in the ongoing evaluation of this legislation.

"2. Legislative action may be needed to remove conditions which may adversely affect the lives of persons with disabilities, including

harassment and victimization. Any discriminatory provisions against persons with disabilities must be eliminated. National legislation should provide for appropriate sanctions in case of violations of the principles of non-discrimination.

"3. National legislation concerning persons with disabilities may appear in two different forms. The rights and obligations may be incorporated in general legislation or contained in special legislation. Special legislation for persons with disabilities may be established in several ways:

"(a) By enacting separate legislation, dealing exclusively with disability matters;

"(b) By including disability matters within legislation on particular topics;

"(c) By mentioning persons with disabilities specifically in the texts that serve to interpret existing legislation.

A combination of these different approaches might be desirable. Affirmative action provisions may also be considered.

"4. States may consider establishing formal statutory complaints mechanisms in order to protect the interests of persons with disabilities.

"Rule 16. Economic policies

"States have the financial responsibility for national programmes and measures to create equal opportunities for persons with disabilities.

"1. States should include disability matters in the regular budgets of all national, regional and local government bodies.

"2. States, non-governmental organizations and other interested bodies should interact to determine the most effective ways of supporting projects and measures relevant to persons with disabilities.

"3. States should consider the use of economic measures (loans, tax exemptions, earmarked grants, special funds etc.) to stimulate and support equal participation by persons with disabilities in society.

"4. In many States it may be advisable to establish a disability development fund, which could support various pilot projects and self-help programmes at the grass-roots level.

"Rule 17. Coordination of work

"States are responsible for the establishment and strengthening of national coordinating committees, or similar bodies, to serve as a national focal point on disability matters.

"1. The national coordinating committee or similar bodies should be permanent and based on legal as well as appropriate administrative regulation.

"2. A combination of representatives of private and public organizations is most likely to achieve an intersectoral and multidisciplinary composition. Representatives could be drawn from concerned government ministries, organizations of persons with disabilities and non-governmental organizations.

"3. Organizations of persons with disabilities should have considerable influence in the national coordinating committee in order to ensure proper feedback of their concerns.

"4. The national coordinating committee should be provided with sufficient autonomy and resources to fulfil its responsibilities in relation to its decision-making capacities. It should report to the highest governmental level.

"Rule 18. Organizations of persons with disabilities

"States should recognize the right of the organizations of persons with disabilities to represent persons with disabilities at national, regional and local levels. States should also recognize the advisory role of organizations of persons with disabilities in decision-making on disability matters.

"1. States should encourage and support economically and in other ways the formation and strengthening of organizations of persons with disabilities, family members and/or advocates. States should recognize that these organizations have a role to play in the development of disability policy.

"2. States should establish ongoing communication with organizations of persons with disabilities and ensure their participation in the development of government policies.

"3. The role of organizations of persons with disabilities could be to identify needs and priorities, to participate in the planning, implementation and evaluation of services and measures concerning the lives of persons with disabilities, and to contribute to public awareness and to advocate change.

"4. As instruments of self-help, organizations of persons with disabilities provide and promote opportunities for the development of skills in various fields, mutual support among members and information sharing.

"5. Organizations of persons with disabilities could perform their advisory role in many different ways such as having permanent representation on boards of government-funded agencies, serving on public commissions and providing expert knowledge on different projects.

"6. The advisory role of organizations of persons with disabilities should be ongoing in order to develop and deepen the exchange of views and information between the State and the organizations.

"7. Organizations should be permanently represented on the national coordinating committee or similar bodies.

"8. The role of local organizations of persons with disabilities should be developed and strengthened to ensure that they influence matters at the community level.

"Rule 19. Personnel training

"States are responsible for ensuring the adequate training of personnel, at all levels, involved in the planning and provision of programmes and services concerning persons with disabilities.

"1. States should ensure that all authorities providing services in the disability field give adequate training to their personnel.

"2. In the training of professionals in the disability field, as well as in the provision of information on disability in general training programmes, the principle of full participation and equality should be appropriately reflected.

"3. States should develop training programmes in consultation with organizations of persons with disabilities, and persons with disabilities should be involved as teachers, instructors or advisers in staff training programmes.

"4. The training of community workers is of great strategic importance, particularly in developing countries. It should involve persons with disabilities and include the development of appropriate values, competence and technologies as well as skills which can be practised by persons with disabilities, their parents, families and members of the community.

"Rule 20. National monitoring and evaluation of disability programmes in the implementation of the Standard Rules

"States are responsible for the continuous monitoring and evaluation of the implementation of national programmes and services concerning the equalization of opportunities for persons with disabilities.

"1. States should periodically and systematically evaluate national disability programmes and disseminate both the bases and the results of the evaluations.

"2. States should develop and adopt terminology and criteria for the evaluation of disability-related programmes and services.

"3. Such criteria and terminology should be developed in close cooperation with organizations of persons with disabilities from the earliest conceptual and planning stages.

"4. States should participate in international cooperation in order to develop common standards for national evaluation in the disability field. States should encourage national coordinating committees to participate also.

"5. The evaluation of various programmes in the disability field should be built in at the planning stage, so that the overall efficacy in fulfilling their policy objectives can be evaluated.

"Rule 21. Technical and economic cooperation

"States, both industrialized and developing, have the responsibility to cooperate in and undertake measures for the improvement of the living conditions of persons with disabilities in developing countries.

"1. Measures to achieve the equalization of opportunities of persons with disabilities, including refugees with disabilities, should be integrated into general development programmes.

"2. Such measures must be integrated in all forms of technical and economic cooperation, bilateral and multilateral, governmental and non-governmental. States should bring up disability issues in discussions on such cooperation with their counterparts.

"3. When planning and reviewing programmes of technical and economic cooperation, special attention should be given to the effects of such programmes on the situation of persons with disabilities. It is of utmost importance that persons with disabilities and their organizations are consulted on any development projects designed for persons with disabilities. They should be directly involved in the development, implementation and evaluation of such projects.

"4. Priority areas for technical and economic cooperation should include:

"(a) The development of human resources through the development of skills, abilities and potentials of persons with disabilities and the initiation of employment-generating activities for and of persons with disabilities;

"(b) The development and dissemination of appropriate disability-related technologies and know-how.

"5. States are also encouraged to support the formation and strengthening of organizations of persons with disabilities.

"6. States should take measures to improve the knowledge of disability issues among staff involved at all levels in the administration of technical and economic cooperation programmes.

"Rule 22. International cooperation

"States will participate actively in international cooperation concerning policies for the equalization of opportunities for persons with disabilities.

"1. Within the United Nations, its specialized agencies and other concerned intergovernmental organizations, States should participate in the development of disability policy.

"2. Whenever appropriate, States should introduce disability aspects in general negotiations concerning standards, information exchange, development programmes etc.

"3. States should encourage and support the exchange of knowledge and experience between:

"(a) Non-governmental organizations concerned with disability issues;

"(b) Research institutions and individual researchers involved in disability issues;

"(c) Representatives of field programmes and of professional groups in the disability field;

"(d) Organizations of persons with disabilities;

"(e) National coordinating committees.

"4. States should ensure that the United Nations and its specialized agencies, as well as all intergovernmental and interparliamentary bodies, at global and regional levels, include in their work the global and regional organizations of persons with disabilities.

"IV. MONITORING MECHANISM

"1. The purpose of a monitoring mechanism is to further the effective implementation of the Standard Rules. It will assist each State in assessing its level of implementation of the Standard Rules and in measuring its progress. The monitoring should identify obstacles and suggest suitable measures which would contribute to the successful implementation of the Rules. The monitoring mechanism will recognize the economic, social and cultural features existing in individual States. An important element should also be the provision of advisory services and the exchange of experience and information between States.

"2. The Standard Rules on the Equalization of Opportunities for Persons with Disabilities shall be monitored within the framework of the sessions of the Commission for Social Development. A Special Rapporteur with relevant and extensive experience of disability issues and international organizations shall be appointed, if necessary, funded by extrabudgetary

resources, for three years to monitor the implementation of the Standard Rules.

"3. International organizations of persons with disabilities having consultative status with the Economic and Social Council and organizations representing persons with disabilities who have not yet formed their own organizations should be invited to create among themselves a panel of experts, on which organizations of persons with disabilities shall have a majority, taking into account the different kinds of disabilities and necessary equitable geographical distribution, to be consulted by the Special Rapporteur and, when appropriate, by the Secretariat.

"4. The panel of experts will be encouraged by the Special Rapporteur to review, advise and provide feedback and suggestions on the promotion, implementation and monitoring of the Standard Rules.

"5. The Special Rapporteur shall send a set of questions to States, entities within the United Nations system, and intergovernmental and non-governmental organizations, including organizations of persons with disabilities. The set of questions should address implementation plans for the Standard Rules in States. The questions should be selective in nature and cover a number of specific rules for in-depth evaluation. In preparing the questions the Special Rapporteur should consult with the panel of experts and the Secretariat.

"6. The Special Rapporteur shall seek to establish a direct dialogue not only with States but also with local non-governmental organizations, seeking their views and comments on any information intended to be included in the reports. The Special Rapporteur shall provide advisory services on the implementation and monitoring of the Standard Rules and assistance in the preparation of replies to the sets of questions.

"7. The Centre for Social Development and Humanitarian Affairs of the United Nations Office at Vienna, as the United Nations focal point on disability issues, the United Nations Development Programme and other entities and mechanisms within the United Nations system, such as the regional commissions and specialized agencies and inter-agency meetings, shall cooperate with the Special Rapporteur in the implementation and monitoring of the Standard Rules at the national level.

"8. The Special Rapporteur, assisted by the Secretariat, shall prepare reports for submission to the Commission for Social Development, at its thirty-fourth and thirty-fifth sessions. In preparing such reports, the Rapporteur should consult with the panel of experts.

"9. States should encourage national coordinating committees or similar bodies to participate in implementation and monitoring. As the focal points on disability matters at the national level, they should be encouraged to establish procedures to coordinate the monitoring of the Standard Rules. Organizations of persons with disabilities should be encouraged to be actively involved in the monitoring of the process at all levels.

"10. Should extrabudgetary resources be identified, one or more positions of Interregional Adviser on the Standard Rules should be created to provide direct services to States, including:

"(a) The organization of national and regional training seminars on the content of the Standard Rules;

"(b) The development of guidelines to assist in strategies for implementation of the Standard Rules;

"(c) Dissemination of information about best practices concerning implementation of the Standard Rules.

"11. At its thirty-fourth session, the Commission for Social Development should establish an open-ended working group to examine the Special Rapporteur's report and make recommendations on how to improve the application of the Standard Rules. In examining the Special Rapporteur's report, the Commission for Social Development, by its open-ended working group, shall consult international organizations of persons with disabilities and specialized agencies, according to rules 71 and 76 of the rules of procedure of the functional commissions of the Economic and Social Council.

"12. At its session following the end of the Special Rapporteur's mandate, the Commission should examine the possibility of either renewing that mandate, appointing a new Special Rapporteur or considering another monitoring mechanism, and should make appropriate recommendations to the Economic and Social Council.

"13. States should be encouraged to contribute to the United Nations Voluntary Fund on Disability in order to further the implementation of the Standard Rules."

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Agenda item 109

SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

International Day of Disabled Persons

Note by the Secretariat

By its resolution 1993/18 of 27 July 1993, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "International Day of Disabled Persons". The text of the draft resolution is reproduced below.

"International Day of Disabled Persons

"The General Assembly,

"Recalling all its relevant resolutions, including resolution 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons, 1/ and resolution 37/53 of 3 December 1982, in which, inter alia, it proclaimed the period 1983-1992 the United Nations Decade of Disabled Persons as a long-term plan of action,

"Recalling also its request to the Secretary-General, made in its resolution 45/91 of 14 December 1990, to shift the focus of the United Nations programme on disability from awareness-raising to action, with the aim of achieving a society for all by the year 2010,

"Recalling further its resolution 47/3 of 14 October 1992 proclaiming 3 December as the International Day of Disabled Persons,

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1/ A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation 1 IV).

"Noting that, despite an appreciable increase in activities designed to enhance public awareness of the needs and circumstances of people with disabilities and of related issues, there continues to be a need for sustained efforts to overcome physical and social barriers to the full equality and participation of disabled persons,

"Aware of the need for more vigorous and broader action and measures at all levels to fulfil the objectives of the Decade and the World Programme of Action,

"Bearing in mind that the purpose of the World Programme of Action is to promote effective measures for the prevention of disability, for rehabilitation and the realization of the goals of full participation of disabled persons in social life and development and of equality, which means opportunities equal to those of the entire population and an equal share in the improvement in living conditions resulting from social and economic development,

"1. Takes note with satisfaction of the number of Member States that celebrated the first International Day of Disabled Persons on 3 December 1992;

"2. Appeals to all Governments to observe the International Day of Disabled Persons, using this opportunity to take the lead in awakening the consciousness of populations regarding the gains to be derived by individuals and society from the integration of disabled persons in every area of social, economic and political life;

"3. Reiterates the need to involve disabled persons and their organizations in decisions on all matters of concern to them, including the celebration of the International Day of Disabled Persons;

"4. Invites Member States to consider a way of linking, each year, the observance of the International Day of Disabled Persons with important United Nations events such as the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, the International Year of the Family, to be observed in 1994, the International Conference on Population and Development, to be held at Cairo from 5 to 13 September 1994, the World Summit for Social Development, to be held at Copenhagen in 1995, and the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held at Beijing from 4 to 15 September 1995;

"5. Requests the Secretary-General to report to the Commission for Social Development, at its thirty-fourth session, on measures taken by Member States to observe the International Day of Disabled Persons."

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ADVANCEMENT OF WOMEN

Draft declaration on the elimination of violence against women

Note by the Secretariat

By its resolution 1993/10 of 27 July 1993, the Economic and Social Council recommended to the General Assembly the adoption of a draft resolution entitled "Draft declaration on the elimination of violence against women". The text of the draft resolution is reproduced below.

"Declaration on the elimination of
violence against women

"The General Assembly,

"Recognizing the urgent need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human persons,

"Noting that these rights and principles are enshrined in international instruments, including the Universal Declaration of Human Rights, 1/ the International Covenant on Civil and Political Rights, 2/ the International Covenant on Economic, Social and Cultural Rights, 2/ the Convention on the Elimination of All Forms of Discrimination against

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"1/ Resolution 217 A (III).

"2/ Resolution 2200 A (XXI), annex.

Women, 3/ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 4/

"Recognizing that the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women would contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women, annexed to the present resolution, will strengthen and complement that process,

"Concerned that violence against women is an obstacle to the achievement of equality, development and peace, as recognized in the Nairobi Forward-looking Strategies for the Advancement of Women, 5/ which recommend a set of measures to combat violence against women, and to the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women,

"Affirming that violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms, and concerned about the long-standing failure to protect and promote these rights and freedoms in relation to violence against women,

"Recognizing that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of their full advancement, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men,

"Concerned that some groups of women, such as women belonging to minority groups, indigenous women, refugee women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women and women in situations of armed conflict, are especially vulnerable to violence,

"Recalling Economic and Social Council resolution 1990/15 of 24 May 1990, in the annex to which it was recognized that violence against women in the family and society was pervasive and cut across lines of income, class and culture, and had to be matched by urgent and effective steps to eliminate its incidence,

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"3/ Resolution 34/180, annex.

"4/ Resolution 39/46, annex.

"5/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

"Recalling further Economic and Social Council resolution 1991/18 of 30 May 1991, in which the Council recommended the development of a framework for an international instrument that would address explicitly the issue of violence against women,

"Welcoming the role that women's movements have played in drawing increasing attention to the nature, severity and magnitude of the problem of violence against women,

"Alarmed that women's opportunities to achieve legal, social, political and economic equality in society are limited, inter alia, by continuing and endemic violence,

"Convinced that in the light of the above there is a need for a clear and comprehensive definition of violence against women, a clear statement of the rights to be applied to ensure the elimination of violence against women in all its forms, a commitment by States in respect of their responsibilities, and a commitment by the international community at large towards the elimination of violence against women,

"Solemnly proclaims the following Declaration on the Elimination of Violence against Women and urges that every effort be made so that it becomes generally known and respected:

"Article 1

"For the purposes of this Declaration, the term 'violence against women' means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

"Article 2

"Violence against women shall be understood to encompass, but not be limited to, the following:

"(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

"(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

"(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

"Article 3

"Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia:

"(a) The right to life; 6/

"(b) The right to equality; 7/

"(c) The right to liberty and security of person; 8/

"(d) The right to equal protection under the law; 9/

"(e) The right to be free from all forms of discrimination; 9/

"(f) The right to the highest standard attainable of physical and mental health; 10/

"(g) The right to just and favourable conditions of work; 11/

"(h) The right not to be subjected to torture, or other cruel, inhuman or degrading treatment or punishment. 12/

"6/ Universal Declaration of Human Rights, article 3; and International Covenant on Civil and Political Rights, article 6.

"7/ International Covenant on Civil and Political Rights, article 26.

"8/ Universal Declaration of Human Rights, article 3; and International Covenant on Civil and Political Rights, article 9.

"9/ International Covenant on Civil and Political Rights, article 26.

"10/ International Covenant on Economic, Social and Cultural Rights, article 12.

"11/ Universal Declaration of Human Rights, article 23; and International Covenant on Economic, Social and Cultural Rights, articles 6 and 7.

"12/ Universal Declaration of Human Rights, article 5; International Covenant on Civil and Political Rights, article 7; and Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

"Article 4

"States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end should:

"(a) Consider, where they have not yet done so, ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women or withdrawing reservations to that Convention;

"(b) Refrain from engaging in violence against women;

"(c) Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;

"(d) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms;

"(e) Consider the possibility of developing national plans of action to promote the protection of women against any form of violence, or to include provisions for this purpose in plans already existing, taking into account, as appropriate, such cooperation as can be provided by non-governmental organizations, particularly those concerned with this subject;

"(f) Develop, in a comprehensive way, preventive approaches and all those measures of a legal, political, administrative and cultural nature that promote the protection of women against any form of violence, and ensure that the re-victimization of women does not occur because of gender-insensitive laws, enforcement practices or other interventions;

"(g) Work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counselling, health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation;

"(h) Include in government budgets adequate resources for their activities related to the elimination of violence against women;

"(i) Take measures to ensure that law enforcement officers and public officials responsible for implementing policies to prevent, investigate and punish violence against women receive training to sensitize them to the needs of women;

"(j) Adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices and all other practices based on the idea of the inferiority or superiority of either of the sexes and on stereotyped roles for men and women;

"(k) Promote research, collect data and compile statistics, especially concerning domestic violence, relating to the prevalence of different forms of violence against women and encourage research on the causes, nature, seriousness and consequences of violence against women and on the effectiveness of measures implemented to prevent and redress violence against women; these statistics and findings of the research will be made public;

"(l) Adopt measures directed to the elimination of violence against women who are especially vulnerable to violence;

"(m) Include, in submitting reports as required under relevant human rights instruments of the United Nations, information pertaining to violence against women and measures taken to implement the present Declaration;

"(n) Encourage the development of appropriate guidelines to assist in the implementation of the principles set forth in the present Declaration;

"(o) Recognize the important role of the women's movement and non-governmental organizations worldwide in raising awareness and alleviating the problem of violence against women;

"(p) Facilitate and enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels;

"(q) Encourage intergovernmental regional organizations of which they are members to include the elimination of violence against women in their programmes, as appropriate.

"Article 5

"The organs and specialized agencies of the United Nations system should, within their respective fields of competence, contribute to the recognition and realization of the rights and the principles set forth in the present Declaration, and to this end should, inter alia:

"(a) Foster international and regional cooperation with a view to defining regional strategies for combating violence, exchanging experiences and financing programmes relating to the elimination of violence against women;

"(b) Promote meetings and seminars with the aim of creating and raising the awareness among all persons in respect of the issue of the elimination of violence against women;

"(c) Foster coordination and exchange within the United Nations system between human rights treaty bodies to effectively address the matter;

"(d) Include in analyses prepared by bodies and agencies of the United Nations system of social trends and problems, such as the periodic reports on the world social situation, examination of trends in violence against women;

"(e) Encourage coordination between bodies and agencies of the United Nations system to incorporate the issue of violence against women into ongoing programmes, particularly with reference to groups of women particularly vulnerable to violence;

"(f) Promote the formulation of guidelines or manuals relating to violence against women, taking into account the measures mentioned herein;

"(g) Consider the issue of the elimination of violence against women, as appropriate, in fulfilling their mandates with respect to the implementation of human rights instruments;

"(h) Cooperate with non-governmental organizations in addressing violence against women.

"Article 6

"Nothing in the present Declaration shall affect any provision that is more conducive to the elimination of violence against women that may be contained in the legislation of a State or in any international convention, treaty or other instrument in force in a State."

UNITED
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General Assembly

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26 October 1993

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Forty-eighth session
THIRD COMMITTEE
Agenda item 109

SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

Dominican Republic, Malta and Austria: draft resolution

Implementation of the International Plan of Action on Ageing

The General Assembly,

Mindful of the growing concern of the international community with the issues related to population and individual ageing,

Noting with satisfaction the clear conceptful framework of the United Nations programme on ageing, revealed in the United Nations Principles for Older Persons, 1/ the global targets on ageing for the year 2001 2/ and the Proclamation on Ageing, 3/ to further the implementation of the International Plan of Action on Ageing, 4/

Recalling General Assembly resolution 47/5 of 16 October 1992, by which it decided to observe the year 1999 as the International Year of Older Persons,

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1/ See resolution 46/91, annex.

2/ See A/47/339, sect. III.

3/ See resolution 47/5, annex.

4/ See Report of the World Assembly on Ageing, Vienna, 26 July-6 August 1982 (United Nations publication, Sales No. E.82.I.16), chap. VI.

Recalling also Economic and Social Council resolution 1993/22, of 27 July 1993, which invited Member States to strengthen their national mechanisms on ageing, inter alia, to enable them to serve as national focal points for the preparation and observance of the International Year of Older Persons,

Noting the recent measures aimed at consolidating the social and economic activities of the United Nations,

1. Takes note with appreciation of the report of the Secretary-General on the third review and appraisal of the implementation of the International Plan of Action on Ageing; 5/

2. Endorses the recommendations contained in the report of the Secretary-General on the third review and appraisal of the Implementation of the International Plan of Action on Ageing, in the form of global and national targets on ageing for the year 2001, aimed at streamlining the implementation of the International Plan of Action on Ageing in its second decade;

3. Calls upon the Secretary-General to maintain the integrity and the identity of the United Nations programme on ageing;

4. Commends the International Institute on Ageing on its training programme and related activities, and invites national, regional and international organizations to cooperate closely with the Institute;

5. Urges the United Nations, Member States and non-governmental organizations to support the African Society of Gerontology in developing and implementing a regional programme of activities on ageing;

6. Invites interested Member States, non-governmental organizations and research centres to support the activities of the United Nations programme on ageing, particularly research activities aimed at suggesting policy options to enhance contributions by the elderly to development;

7. Welcomes the decision of the General Assembly, in its resolution 47/5, to observe 1999 as the International Year of Older Persons;

8. Invites Governments, non-governmental organizations as well as bodies and organizations of the United Nations concerned with ageing to submit to the Secretary-General their proposals for the preparations for and observance of the International Year of Older Persons;

9. Calls upon the Secretary-General to draft a programme for the preparations and observance of the International Year of Older Persons and to submit it, through the Commission for Social Development at its thirty-fourth session in 1995, for consideration by the General Assembly at its fiftieth session in 1995.

5/ E/CN.5/1993/7.

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SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY

Afghanistan, Belarus, China, Costa Rica, Denmark, Egypt, Indonesia, Libyan Arab Jamahiriya, Mongolia, Morocco, Nicaragua, Philippines and Romania: draft resolution

Towards full integration of persons with disabilities in society: a continuing world programme of action

The General Assembly,

Recalling all its relevant resolutions, including resolutions 37/52 and 37/53 of 3 December 1982, 46/96 of 16 December 1991 and 47/88 of 16 December 1992, and taking note of Economic and Social Council decision 1992/276 of 30 July 1992 and Commission on Human Rights resolution 1992/48 of 3 March 1992, 1/

Noting the importance of developing and carrying out concrete long-term strategies for the full implementation of the World Programme of Action concerning Disabled Persons beyond the United Nations Decade of Disabled Persons, with the aim of achieving a society for all by the year 2000,

Reaffirming that the efforts of both the developing and the developed countries are indispensable to mobilize the world's attention and resources to address the problems of persons with disabilities,

Aware of the major obstacles to the implementation of the World Programme of Action concerning Disabled Persons, foremost among these being an inadequate allocation of resources,

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1/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

1. Reaffirms the continuing validity and value of the World Programme of Action concerning Disabled Persons, which provides a firm and innovative framework for disability-related issues;

2. Reiterates the responsibility of Governments for removing or facilitating the removal of barriers and obstacles to the full integration of persons with disabilities into society, and supports their efforts in developing national policies to reach specific objectives;

3. Requests the Secretary-General to continue to give higher priority and visibility to disability issues within the work programme of the United Nations system by:

(a) Integrating disability issues into the policies, programmes and projects of the specialized agencies on a broader scale and with higher priority, and asking all the specialized agencies to report on their engagement in the disability field;

(b) Asking the United Nations Development Programme to review how a disability component can be incorporated in all its reconstruction programmes;

(c) Finalizing the ongoing work within the United Nations Development Programme of creating a disability index based on the twenty-two rules in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities; 2/

(d) Publishing a manual on the integration of disability issues into national planning and development projects;

(e) Asking the Statistical Office of the Secretariat, in close cooperation with all relevant United Nations organizations and Governments, to continue its important work of collecting statistical data about disability matters and to finalize the commendable work carried out by the Statistical Division of the United Nations Development Programme concerning the development of a global disability indicator;

4. Recommends that regional arrangements, including the Economic and Social Commission for Asia and the Pacific, the Economic Commission for Europe, the Economic Commission for Latin America and the Caribbean, the Economic Commission for Africa and other relevant regional organizations, be fully utilized to explore the best ways and means to improve the specific situation of persons with disabilities in each region;

5. Invites Member countries and the private sector, including relevant non-governmental organizations, to contribute to the United Nations Voluntary Fund on Disability;

6. Invites Member countries and other donors to pay close attention to the increasing number of persons with disabilities as a consequence of natural disasters, wars and catastrophic accidents;

2/ See Economic and Social Council resolution 1993/19, annex.

7. Commends the launching of the Asian and Pacific Decade of Disabled Persons, 1993-2002, and the adoption of the Proclamation on the Full Participation and Equality of People with Disabilities in the Asian and Pacific region 3/ by the intergovernmental Meeting to Launch the Asian and Pacific Decade of Disabled Persons, 1993-2002, convened by the Economic and Social Commission for Asia and the Pacific at Beijing from 1 to 5 December 1992;

8. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution under the item entitled "Social development".

3/ See E/ESCAP/902, annex I.